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Proposed Intervenors

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

CENTER FOR BIOLOGICAL DIVERSITY, et al., Plaintiffs, and WESTERN WATERSHEDS PROJECT, et al., Consolidated Plaintiffs, ANIMAL WELLNESS ACTION, et al., Consolidated Plaintiffs, vs. UNITED STATES FISH AND WILDLIFE SERVICE, et al., Defendants,	Lead Case CV 24-86-M-DWM Member Case CV-24-87-M-DWM CV-24-97-M-DWM **DECLARATION OF QUENTIN KUJALA**

Exhibit A

SPORTSMEN'S ALLIANCE FOUNDATIONS, SAFARI CLUB INTERNATIONAL, and ROCKY MOUNTAIN ELK FOUNDATION,

Defendant-Intervenors.

STATE OF MONTANA and MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS,

Defendant Intervenor Applicants.

Pursuant to 28 U.S.C. § 1746, I, Quentin Kujala, declare under penalty of perjury, the following is true and correct:

1. I live in Helena, Montana.

2. I have been employed full time by Montana Fish, Wildlife, and Parks ("MFWP") since 1994 when I was hired as a management wildlife biologist. I currently serve as MFWP's Chief of Conservation Policy and have been in this position since 2023.

3. I have worked on wolf recovery and management, in one capacity or another, since the early 2000's. Throughout this effort, I have filled the roles of Management Biologist, Management Bureau Chief for the MFWP Wildlife Division, Coordinator of Wildlife Division Bureaus, including the Game, Non-game, and Research Bureaus, MFWP Chief of Staff, and, as noted above, MFWP's

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Chief of Conservation Policy. My efforts have included working with the public at large to ensure public tolerance for wolves, but also working with MFWP's wolf specialists and other staff to identify proposed harvest recommendations and area quotas for the Fish and Wildlife Commission ("Commission").

4. The gray wolf is a native species that plays an important role in Montana's wildlife heritage. The long-term viability of gray wolves and the continued management of gray wolves continues to remain at the forefront of MFWP's objectives and is a vital component to MFWP's management of wildlife species.

5. Between 1974-2011, the gray wolf was managed by the United States Fish and Wildlife Service ("USFWS") under the Endangered Species Act ("ESA"). Although the gray wolf was managed by the USFWS, Montana assisted in the natural recovery of the gray wolf in the Northern Rocky Mountains ("NRM") Distinct Population Segment ("DPS"). Specifically, Montana devoted significant time, money, and resources into understanding gray wolf habits and population dynamics, monitoring distribution and habitat use, and, lastly, fostering public tolerance for wolves on the landscape. By 2011, the gray wolf was delisted, and management authority transitioned from the USFWS to the states.

6. Since then, MFWP has continued to implement flexible management strategies to ensure the gray wolf population remains sustainable, despite

ecological and sociopolitical environments changing, and has also continued to incorporate new and available science into practical and implementable management strategies.

7. In the early years, the wolf population was small and MFWP was able to conduct intensive year-round and field-based population monitoring methods to determine Montana's wolf population. In fact, at that time, a relatively large proportion of wolf packs had radio-collared individuals which allowed for intensive field monitoring of most packs and enhanced the ability to identify new packs, as well as individuals within said packs. However, as the wolf population approached and exceeded 500 individuals distributed across more than 25,000 square miles including rugged and remote terrain in Western Montana, the ability to field-verify and count every pack, every wolf, and every breeding pair became increasingly expensive, cumbersome, and unrealistic.

8. Specifically, in the mid-2000's MFWP dedicated wolf specialists and regional wildlife program staff responsible for wolf population monitoring in the field admonished that new monitoring methods were needed to provide a population index, because they were no longer able to keep up with expanding and growing wolf populations around the state to provide accurate indices of statewide or regional population sizes. MFWP staff were experiencing public push-back against minimum counts and they reported that members of the public were

continuously contacting them to indicate that more wolves were present on the landscape than were being verified and reported. Most importantly, they agreed with this criticism based on their field observations.

9. As a result, MFWP began considering alternative approaches to monitoring the wolf population through a collaborative effort with the University of Montana Cooperative Wildlife Research Unit. The primary objective was to find an alternative approach to wolf monitoring that would yield statistically reliable estimates of the number of wolves, the number of wolf packs, and the number of breeding pairs.

10. In part because this population was formerly listed under the ESA and continues to attract critical review by competing advocacies, this level of awareness was and is a necessity for effective wolf management in Montana. Wolf management in Montana has multiple goals, including the maintenance of state management and a viable wolf population, reduced wolf-livestock conflicts, and increased public acceptance of wolf harvest as part of wolf management. In addition, the Montana legislature has passed laws addressing expectations for wolf management to include harvest tools and population management. With this assembly of responsibilities, expectations, and different advocacies for more or less wolves, a reliable population estimate is a critical component of the

transparent science-based management necessary to successfully conserve wolves on Montana's mixed ownership and multiple use landscape.

11. The first approach was called the "Patch Occupancy Model" or "POM", which was used to estimate wolf and pack abundances between 2009 and 2017, based on area occupied, mean territory size, a territory overlap index, and mean pack size. A diagram summarizing the POM method is shown in Figure 1.

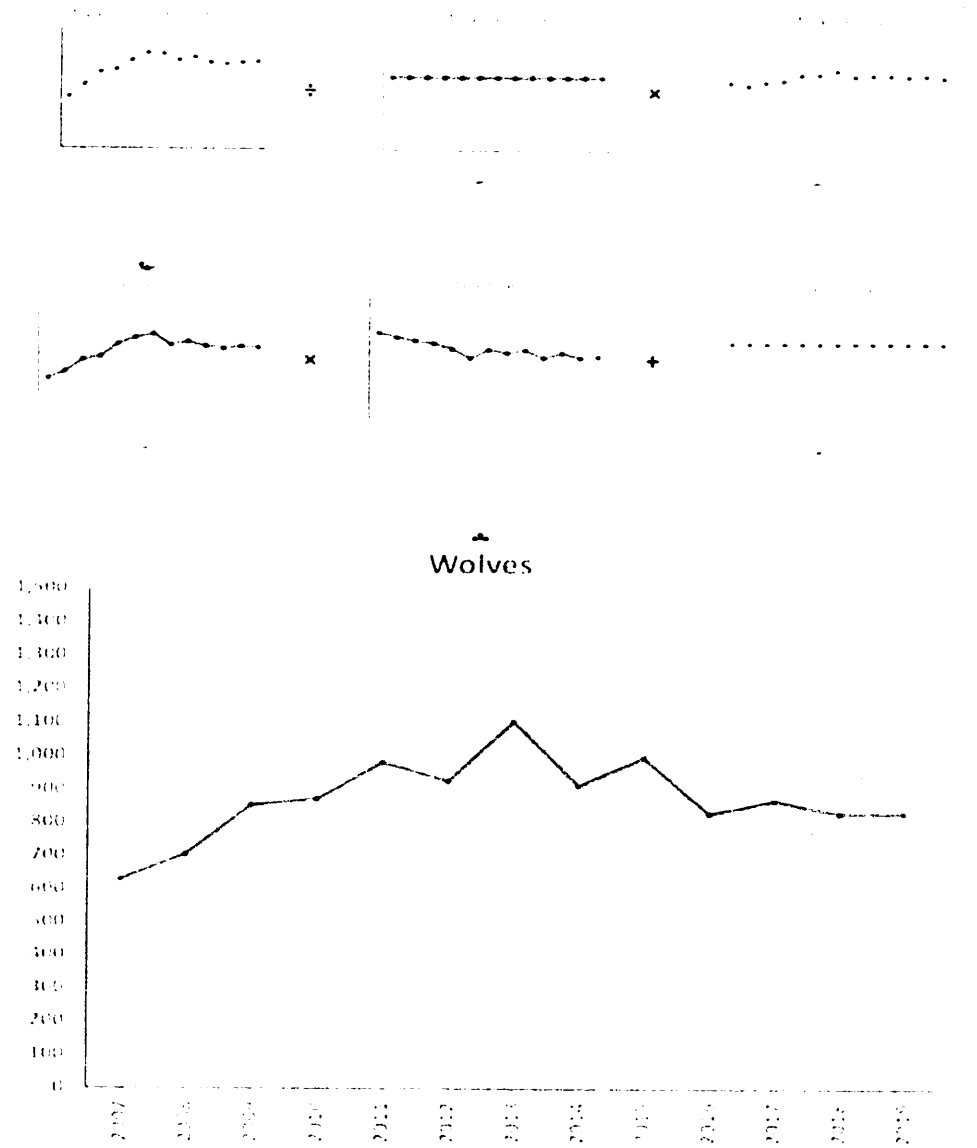

Exhibit A

Figure 1.

12. MFWP began publishing POM results as a supplemental analysis in the Annual Wolf Reports beginning with the 2013 Annual Wolf Report. By the 2018 Annual Wolf Report, wolf specialists, other FWP staff, constituents and the Fish and Wildlife Commission ("Commission") came to rely primarily on MFWP's wolf pack and wolf estimates rather than the minimum counts. To discourage misuse of the minimum count data, MFWP discontinued publishing pack tables and minimum count data within the Annual Wolf Report, despite the fact that minimum counts continued and are conducted to this day.

13. From the onset of reporting POM estimates, MFWP acknowledged the assumptions and potential biases. As a result, MFWP prompted further research and development of a new alternative, and so MFWP began another collaboration with the Montana Cooperative Wildlife Research Unit. Specifically, a PhD student (Sarah Sells) produced a dissertation that developed models to fit and predict territory size and pack size over space and time, allowing for spatial and temporal variation that were not previously possible with POM. The collaboration also produced a method to integrate these separate models into final estimates of packs and wolves. The result gave birth to the "Integrated Patch Occupancy Model" or "iPOM."

14. iPOM is a modern, scientifically peer-reviewed, and cost-effective means of monitoring wolves, and is a very efficient method to document wolf populations numbers and trends accurately across the distribution of wolves in Montana. The iPOM method uses annual hunter surveys, known wolf pack locations, habitat covariates, and informed estimates of wolf territory size and pack size based on field data to estimate wolf distribution and population size. With iPOM, an occupancy model estimates the extent of wolf distribution in Montana, while a territory model predicts territory sizes. Altogether, these models predict the number of wolf packs in the occupied area. A group size model predicts pack sizes. Total abundance estimates are then derived by combining the estimated number of packs and pack sizes, while also accounting for lone and dispersing wolves. A diagram summarizing the iPOM method is shown in Figure 2.

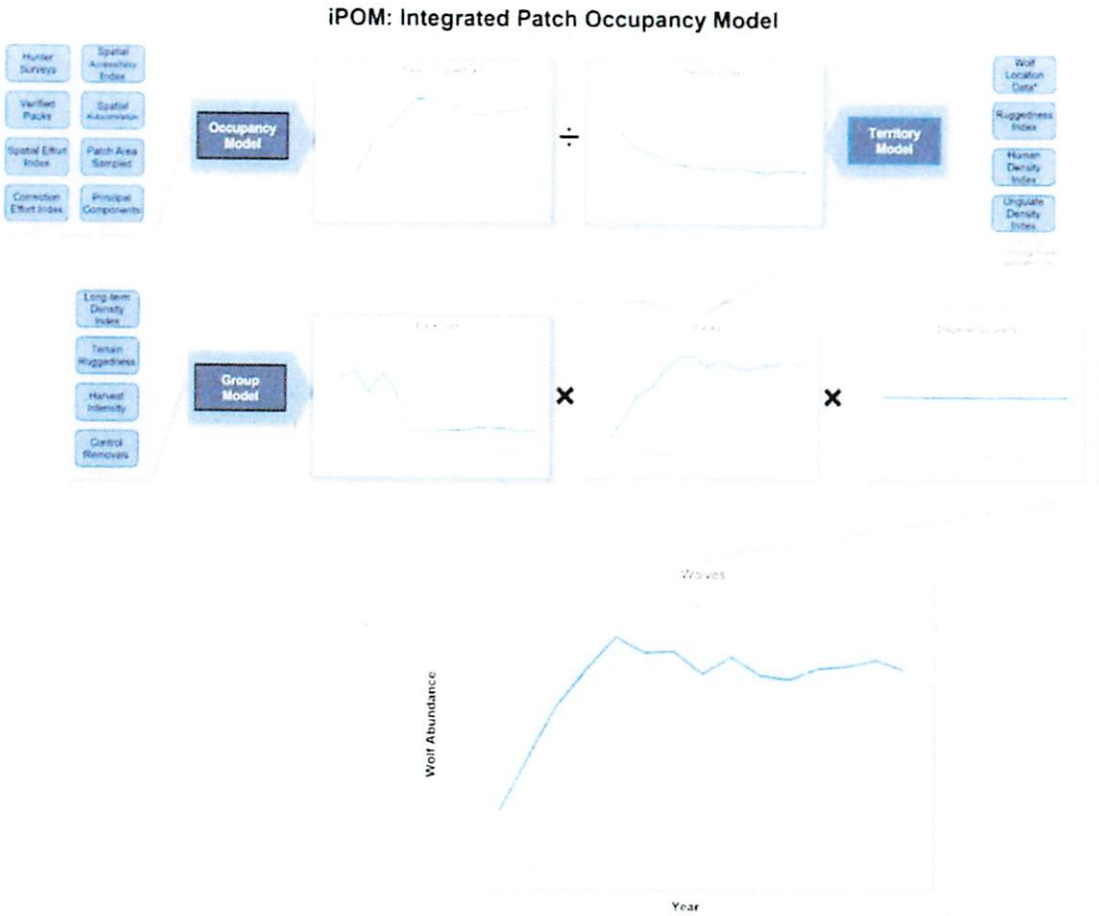

Figure 2.

15. Even though iPOM represents the most accurate and scientifically valid evidence that can be used to assess the gray wolf population/status, MFWP wolf specialists and area biologists still regularly collect data on wolves in the field. The iPOM tool is regularly supplemented through visual confirmations of radio-collared individuals and their packs, minimum counts, non-invasive surveys, and demographics of harvested and conflict-related removals. These datasets are

Exhibit A

collected and then assembled annually for trend information, but, alone, do not provide accurate population estimation.

16. Moreover, even though iPOM represents the most accurate and scientifically valid science as of today, MFWP does not view the development of existing population modeling frameworks and the iPOM monitoring methods as the end of our biological scientific efforts to support wolf management in Montana.

17. MFWP uses well-documented scientific methodologies (*i.e.*, iPOM) to estimate population sizes and distributions from which hunting and trapping regulations are developed and recommended. MFWP's science is the best available science, and the USFWS' reliance on iPOM and our draft 2023 Wolf Management Plan is sound and should not be neglected, precluded, or dismissed.

18. While significant attention has been and continues to be directed at iPOM and its scientific development history and current effective implementation born out of need, there are other components to Montana's wolf management. This includes trapper education, materials and expertise to prevent conflict between wolves and livestock, timely response when conflicts with livestock do occur, research to understand and quantify the relationship between wolves and prey, and human dimension work to help FWP and decision makers understand public sentiment as it relates to wolves and Montana's wolf management. In short,

Montana's wolf management is as daily, scientific, comprehensive, transparent, contemporary, and effective as any other species' management in Montana.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 24th, 2024.

Quentin Kujala
Chief of Conservation Policy
Montana Fish, Wildlife and Parks

Exhibit A